

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Deborah Jean Johnson,

Civil No. 10-4676 (RHK/AJB)

Plaintiff,

ORDER

v.

Michael J. Astrue, Commissioner of
Social Security,

Defendant.

Based upon the undersigned's de novo review of the December 29, 2011, Report and Recommendation of Chief United States Magistrate Judge Arthur J. Boylan, Defendant's Objections with respect thereto, and upon all the files, records, and proceedings herein, **IT IS ORDERED:**

1. Defendant's Objections (Doc. No. 23) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 18) is **ADOPTED**;
3. Plaintiff's Motion for Summary Judgment (Doc. No. 11) is **GRANTED IN PART AND DENIED IN PART**;
4. The Commissioner's Motion for Summary Judgment (Doc. No. 13) is **DENIED**; and
5. This case is **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for further proceedings consistent with this Order and the underlying Report and Recommendation.

Dated: February 1, 2012

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge